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Attorneys for Plaintiff
NOHEMI LAZCANO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NOHEMI LAZCANO,)	NO. C05-3396 WHA
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER TO STRIKE PARAGRAPH 14
v.)	AND FOURTH PRAYER FOR RELIEF
)	FROM PLAINTIFF'S FIRST
JOHN E. POTTER, IN HIS OFFICIAL)	<u>AMENDED COMPLAINT</u>
CAPACITY AS POSTMASTER)	
GENERAL,)	
)	
Defendant.)	
_____)	

Plaintiff NOHEMI LAZCANO and Defendant JOHN E. POTTER, by and through their respective counsel, hereby stipulate and agree that Paragraph 14 and the fourth prayer for relief in Plaintiff's First Amended Complaint may be stricken forthwith.

Good cause exists for this Stipulation in that Defendant POTTER is not subject to punitive damages.

Dated: February 24, 2006

PRICE AND ASSOCIATES

/s/

PAMELA Y. PRICE, Attorneys for
Plaintiff NOHEMI LAZCANO

Dated: February 24, 2006

KEVIN V. RYAN
United States Attorney
JOANN M. SWANSON
Chief, Civil Division
ABRAHAM A. SIMMONS
Assistant United States Attorney

/s/

ABRAHAM A. SIMMONS, Attorneys for
Defendant JOHN E. POTTER

ORDER GRANTING LEAVE TO FILE AMENDED COMPLAINT

Pursuant to the foregoing Stipulation of the parties, and good cause appearing therefore, **IT IS HEREBY ORDERED** that Plaintiff may strike paragraph 14 and fourth prayer for judgment from Plaintiff's First Amended Complaint on or before March 15, 2006.

Dated: February 28, 2006

HON. WILLIAM H. ALSUP
UNITED STATES DISTRICT COURT

